

GOVERNANCE STRUCTURE FOR THE CALIFORNIA MARITIME SECURITY COUNCIL CHARTER

BACKGROUND

At the direction of the Governor and pursuant to Executive Order S-19-06, the Director of the Office of Homeland Security (OHS) created the California Maritime Security Council (CMSC) to enhance port security through statewide collaboration and information sharing.

MISSION AND CMSC RESPONSIBILITIES

The CMSC acts as an advisory body to the Governor in matters related to Maritime Security and is responsible for:

- Identifying areas where port stakeholders can improve statewide collaboration and information sharing to identify potential threats;
- Identifying areas where coordinated processes will enhance security, emergency response procedures, communications, coordinating contingency planning, and other areas of mutual responsibility across the State of California;
- Maintaining a statewide maritime security strategy;
- Preparing plans to quickly recover from a catastrophic event at a California port.

GOVERNANCE MODEL

The OHS staff advisory group reviewed the California Governor's Executive Order, S-19-06, the Charter of the California Maritime Security Council, the requirements as outlined in CA Government Code sections 11120-11132, also known as the Bagley-Keene Open Meeting Act 2004, and other relevant literature in the development of this process. This model reflects the fact that the CMSC is an advisory group and that the authority to direct or implement actions rests with the individual members and Executive Sponsors.

BOARD MEMBERSHIP

Executive Sponsorship

Director of the Office of CA Homeland Security-Chair person (Voting)
Commander, USCG, District 11- Liaison/Advisor/Vice Chair (Non-Voting)

Staff Advisory Group

Primary staff of the OHS Planning, Research and Emergency Preparedness Division, Staff of the OHS Legislative Affairs Division and OHS Staff Legal Counsel

CMSC VOTING MEMBERS

Secretary of the Business, Transportation & Housing Agency, or his or her designee

Director of the Office of Emergency Services, or his or her designee

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Adjutant General of the California National Guard, or his or her designee

Commissioner of the California Highway Patrol, or his or her designee

Assistant Director in Charge of the Federal Bureau of Investigation, or his or her designee

Commander of the United States Navy Region Southwest, or his or her designee

Director of the Western Region of the United States Department of Transportation
Maritime Administration, or his or her designee

President of the International Longshore and Warehouse Union, Northern California
District Council, or his or her designee

President of the International Longshore and Warehouse Union, Southern California
District Council, or his or her designee

President of the California Association of Port Authorities, or his or her designee

President of the Pacific Merchant Shipping Association, or his or her designee

Executive Director of Port Hueneme, or his or her designee

Executive Director of Port of Long Beach, or his or her designee

Executive Director of Port of Los Angeles, or his or her designee

Executive Director of Port of Oakland, or his or her designee

Executive Director of Port of Richmond, or his or her designee

Executive Director of Port of San Diego, or his or her designee

Executive Director of Port of San Francisco, or his or her designee

Executive Director of Port of Stockton, or his or her designee

Executive Director of the Port of Sacramento, or his or her designee

Executive Director of the Port of Humboldt Bay, or his or her designee

Executive Director of the Port of Redwood City, or his or her designee

Director of the CA Department of Fish and Game, or his or her designee

Other representatives that the Director of the Office of Homeland Security determines are
necessary to carry out the mission of the California Maritime Security Council.

CMSC SUBCOMMITTEES

Subcommittee working group's membership will consist of senior level managers or designated
persons within each organization based on their subject matter expertise.

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Voting membership within the Subcommittee shall be determined by the Chair of the Subcommittee.

The creation or termination of a Subcommittee and the designation of Subcommittee Chair requires the support of a majority of the voting members and concurrence of both of the Executive Sponsors.

OTHER INTERESTED PARTIES-PUBLIC OR PRIVATE MARITIME PARTNERS

The public will be advised of all CMSC meetings and subcommittee meetings as required by the Bagley-Keene Opening Meeting Act of 2004 set forth in California Government sections 11120-11132. Special emphasis will be placed on providing notice to the California Maritime Community. Other interested parties from the public or private maritime partners do not have voting rights.

BUSINESS PROCESS IMPLEMENTATION

Recommendations to the CMSC by Members and Subcommittees

- OHS will develop an agenda and, as part of the development process, will ask the voting members for recommendation of agenda items;
- Voting members shall forward recommended agenda items for consideration/action to OHS;
- Items to be placed on agenda for information only or action must be submitted to and received by OHS at least 15 days prior to scheduled meetings;
- OHS will review recommended agenda items to ensure they are within the scope of the CMSC's responsibility as delineated in Executive Order S-19-06 and, in the discretion of the OHS staff, appropriate for inclusion in the agenda;
- OHS will place items for consideration/action on agenda or inform the submission party of decision not to place on agenda;
- OHS staff will develop and publish the formal public meeting notice and agenda as required by Bagley-Keene Open Meeting Act;
- In order to make or take any action on behalf of the CMSC or a particularly Subcommittee, meetings require a quorum (more than half of the voting members and both of the Executive Sponsors or their designees at the CMSC meetings);
- Meeting notes of information provided during any meeting of the full CMSC or a subcommittee, to include the public comments portion of the meeting, will be taken and subcommittee notes will be forwarded to OHS within two weeks of the meeting;
- Draft meeting notes of the full council will be presented to CMSC members for review and acceptance/approval at the next scheduled meeting and will be posted to the OHS Website;
- CMSC members will review and consider action or approval of recommendations items and action to be taken by OHS or other partners in open session;
- Action item sponsors will have the opportunity to present information to the CMSC full council on the agenda item;

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- The Executive Sponsorship will ask the voting members for a motion for approval/disapproval, the motion must be seconded. A formal vote by CMSC members will be made if applicable;
- OHS will track recommendations for action by OHS or other partners and monitor and report status, as appropriate.

Note: The concept is to add the proposed governance structure to the existing charter and the charter expiration date will be extended for an additional one year period. New expiration date will be March 2010.

Note: The OHS Staff Advisory Group will confirm council representation and/or designees prior to each meeting.